

STATE OF COLORADO

Department of State

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Donetta Davidson

Secretary of State

William A. Hobbs

Deputy Secretary of State

NOTICE OF PROPOSED RULEMAKING

Pursuant to the requirements of §24-4-103 (3)(a), C.R.S. (2004), notice of proposed rulemaking is hereby given by the Secretary of State. A rulemaking hearing will be held on **August 1, 2005 from 1:30 p.m. to 4:00 p.m.** in the Blue Spruce Conference Room on the second floor of the Office of the Secretary of State at 1700 Broadway, Denver, Colorado 80290. Please note that this is the new location of the Office of the Secretary of State. Interested persons will be afforded an opportunity to be heard on the subject of revisions and amendments to the “Secretary of State Election Rules”.

Subject of the Proposed Rulemaking

Amendments and revisions of the Secretary of State Election Rules are proposed to clarify and conform to statutory changes made by the Colorado General Assembly pursuant to SB05-198 and SB05-206, and the provisions of the Help America Vote Act, and to make such other amendments to the election rules as may be desirable to improve the administration of elections in Colorado. The revisions and amendments to be considered include, but are not limited to: certification and education of designated election officials; modification of statutes pertaining to absentee ballots; provisional ballots, testing and auditing of voting equipment; voter registration drives, and modifications to the election calendar.

Authority for Proposed Rulemaking

Revisions and amendments to the “Secretary of State Election Rules” [8 CCR 1505-1] are proposed pursuant to the following statutes:

1. §1-1-107(2)(a), C.R.S. (2004), which authorizes the Secretary of State “to promulgate, publish and distribute . . . such rules as the secretary of state finds necessary for the proper administration and enforcement of the election laws”
2. §1-1.5-104(1)(e), C.R.S. (2004), which authorizes the Secretary of State to “promulgate rules . . . as the secretary finds necessary for the proper administration, implementation, and enforcement of HAVA”

Copies of the proposed rules may be obtained on or after July 25, 2005, from the Office of the Secretary of State, 1700 Broadway, Suite 270, Denver, Colorado 80290, or by calling 303.894.2200, ext. 6322. An initial copy will be provided free of charge. The proposed rules will also be published on the Secretary of State’s Internet web site at www.sos.state.co.us.

The hearing will be held in accordance with §24-4-103 (3)(a), C.R.S. (2004). Written submissions and oral testimony may be submitted at the rulemaking hearing. If possible, written submissions should be provided in advance of the hearing to the Office of the Secretary of the State, but must be filed no later than the commencement of the hearing (August 1, 2005) in order to be considered. Please submit them in person, or by sending them to mf.nevans@sos.state.o.us. Oral testimony may be limited in order to allow the proceedings to go forward with reasonable promptness and efficiency. For more information, please contact Mary Frances Nevans, Elections Division, 303.894.2200, ext. 6322.

Dated this 17 day of June, 2005

William C. Compton _____ (signed)